

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CANAL INSURANCE COMPANY,

Plaintiff,

-against-

GINNETTI TRUCKING, LLC, a Connecticut Limited Liability Corporation, BRUCE LAURITZEN, individually, EDDYS N. GARCIA, as Administrator of the Goods, Chattels and Credits which were of WENDY SANTOS, deceased, EDDYS N. GARCIA, individually, EDDY I. GARCIA, an infant by his father and natural guardian, EDDYS N. GARCIA, KENNY J. GARCIA, an infant by his father and natural guardian, EDDYS N. GARCIA, OLGA GARCIA, individually, RAFAEL SALVADOR, individually, KEYLIE SALVADOR, an infant by her mother and natural guardian, OLGA GARCIA, ANGEL RIVERA, individually, EDART LEASING COMPANY, LLC, a Massachusetts Limited Liability Corporation, and DASILVA TAUNTON EXPRESS, a Massachusetts business entity, form unknown,

Defendants.
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Docket No.: 08-CV-1588
(Judge Gerard E. Lynch)

Related to Docket Nos.:
08-CV-2957 (GEL)
07-CV-4045 (GEL)
07-CV-6192 (GEL)

FEDERAL RULE 26(a) DISCLOSURE

COUNSELORS:

Plaintiff CANAL INSURANCE COMPANY (hereinafter "Plaintiff"), by its attorneys, the McELFISH LAW FIRM, as and for its Disclosure pursuant to Rule 26(a) of the Federal Rules of Civil Procedure, hereby allege upon information and belief as follows:

Fed. Rule (a)(1)(A):

Names and addresses of persons likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying the subject of information:

The parties to this action who were involved in the accident of July 2, 2006, may have information in their possession regarding the facts of this case and/or nature of injuries allegedly sustained by the claimants. These individuals' last known addresses are listed herein, upon information and belief:

EDDYS N. GARCIA
2786 Jerome Avenue
Bronx, New York

EDDY I. GARCIA
2786 Jerome Avenue
Bronx, New York

KENNY J. GARCIA
2786 Jerome Avenue
Bronx, New York

OLGA GARCIA
542 Randall Avenue
Bronx, New York

RAFAEL SALVADOR
542 Randall Avenue
Bronx, New York

KEYLIE SALVADOR
542 Randall Avenue
Bronx, New York

ANGEL RIVERA
586 Hartford Avenue
Providence, Rhode Island

EDART LEASING COMPANY, LLC
100 Wales Avenue
Avon, Massachusetts

DASILVA TAUNTON EXPRESS
513 John Hancock Road
Taunton, Massachusetts

BRUCE LAURITZEN
1011 Durham Road
Madison, Connecticut

GINNETTI TRUCKING, LLC
58 Hemmingway Avenue
East Haven, Connecticut

The entities who were involved in the issuance and acceptance of the policy of insurance which constitutes the subject matter of this interpleader action, may have information in their possession regarding the facts of that aspect of this case. These entities are:

CANAL INSURANCE COMPANY
P.O. Box 7
Greenville, South Carolina

GINNETTI TRUCKING, LLC
58 Hemmingway Avenue
East Haven, Connecticut

Swett & Crawford of Maine, Inc.
324 Gannett Drive, Suite 200
South Portland, Maine

Fed. Rule (a)(1)(B):

A copy or description, by category and location, of all documents, data compilations, and tangible things in the possession, custody, or control of the party that are relevant to disputed facts alleged with particularity in the pleadings:

The documents that are believed to be relevant to disputed facts in this matter include the insurance policy issued by CANAL INSURANCE COMPANY to GINNETTI TRUCKING, LLC under policy number 479033, which was annexed to the interpleader complaint, and the police accident report, which is a document of public record.

Fed. Rule (a)(1)(C):

A computation of any category of damages claimed by the disclosing party:

Not applicable.

Fed. Rule (a)(1)(D):

Insurance agreements:

A copy of the insurance policy issued by CANAL INSURANCE COMPANY to GINETTI TRUCKING, LLC under policy number 479033, which was in effect on the date of loss, was annexed to the CANAL INSURANCE COMPANY's interpleader complaint

Fed. Rule (a)(2)(A):

Names of Experts:

Plaintiff CANAL INSURANCE COMPANY has not yet retained any expert to be called at the trial of this action. As discovery is ongoing, Plaintiff reserves the right to supplement this response prior to the trial of this action, and within the time provided for by the Court and the Federal Rules of Civil Procedure.

Fed. Rule (a)(3)(A):

Names and Addresses of Witnesses:

Plaintiff is currently unaware of the identity of any witnesses to the accident other than the parties to this action, which are identified above. The witnesses to the issuance and acceptance of the insurance policy at issue in this interpleader action are CANAL INSURANCE COMPANY, GINETTI TRUCKING, LLC, and Swett & Crawford of Maine, Inc. The addresses for these entities are provided above.

Dated: August 7, 2008

Yours, etc.

By: Jeffrey C. Lynn, Esq.
McELFISH LAW FIRM
Attorneys for Plaintiff
CANAL INSURANCE COMPANY
1112 N. Sherbourne Drive
West Hollywood, California 90069
(310) 659-4900
File No.: 33-112

TO: Lester, Schwab, Katz & Dwyer, LLP,
Attorneys for GINETTI TRUCKING, LLC.
And BRUCE LAURITZEN
120 Broadway
New York, New York 10271

Gair, Gair Conason, Steigman & Mackauf
Attorneys for: EDDYS N. GARCIA,
as Administrator of the Goods, Chattels
and Credits which were of WENDY SANTOS,
deceased, EDDYS N. GARCIA, Individually,
EDDY I. GARCIA, an infant by his father and
natural guardian, EDDYS N. GARCIA,
KENNY J. GARCIA, an infant by his father
natural guardian, EDDYS N. GARCIA,
OLGA GARCIA, individually, RAFAEL SALVADOR,
an infant by her mother and natural guardian
80 Pine Street
New York, New York 10005

Yanover & Yanover,
Attorneys for: OLGA GARCIA, individually,
RAFAEL SALVADOR, individually, KEYLIE
SALVADOR, an infant by her mother and
natural guardian, OLGA GARCIA
50 Charles Lindbergh Blvd, Suite 400
Uniondale, New York 11553

Day Pitney LLP
Attorneys for GENERAL STAR
NATIONAL INSURANCE CO.
242 Trumbull Street
Hartford, Connecticut 06103

CERTIFICATE OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, Paola Morales, being duly sworn, deposes and says that I am not a party to this action, am over 18 years of age and reside in the County of New York, State of New York, that on August 7, 2008, I served the within FEDERAL RULE 26(a) DISCLOSURE upon:

Lester, Schwab, Katz & Dwyer, LLP,
120 Broadway
New York, New York 10271

Gair, Gair Conason, Steigman & Mackauf
80 Pine Street
New York, New York 10005

Yanover & Yanover,
50 Charles Lindbergh Blvd, Suite 400
Uniondale, New York 11553

Day Pitney LLP
242 Trumbull Street
Hartford, Connecticut 06103

by depositing a true copy of same securely enclosed in a postpaid wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

Paola Morales

Sworn to before me this
7th day of August 2008

NOTARY PUBLIC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CANAL INSURANCE COMPANY,

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Defendants.

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FEDERAL RULE 26(a) DISCLOSURE

Jeffrey C. Lynn, Esq.
McELFISH LAW FIRM
Attorneys for Plaintiff
CANAL INSURANCE COMPANY
1112 N. Sherbourne Drive
West Hollywood, California 90069
(310) 659-4900

Attorney(s) for:
Service of the copy of the within
Dated:_____

is hereby admitted